

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

RODNEY K. JUSTIN,)	
)	
Petitioner,)	
)	1:12CV1031
v.)	1:09CR66-1
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

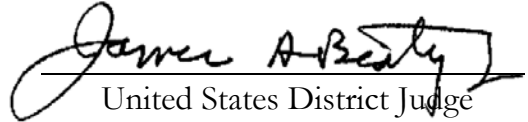
O-R-D-E-R

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 27, 2015, was served on the parties in this action. Petitioner objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that Petitioner's motions to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 (Docket Entries 62 and 72) be **DENIED**, that Petitioner's Petition for Writ of Mandamus (Docket Entry 97) be **DENIED** as moot, and that Petitioner's motion entitled "Demand for Article III Judge to Rule on All Pleadings" (Docket Entry 64) be **DENIED**. A judgment dismissing this action will be entered

contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.


United States District Judge

Date: June 30, 2015